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OCT 26 2004

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CENTRAL LOCATION**FACSIMILE COVER SHEET****Examiner:** Anh Vu. H. Ly **Group:** 2667**Date:** October 26, 2004**Client Code:** 2390**Facsimile No.:** 703-872-9306**From:** James M. Smith, Esq.**Subject:** Paper: Notice of Appeal, with two month Extension of Time**Docket No.:** 2390.1011-000**Applicants:** William J. Dally, et al.**Serial No.:** 09/316,699**Filing Date:** May 21, 1999Number of pages including this cover sheet: 3Please confirm receipt of facsimile: Yes No **Comments:**

@PPDesktop:ODMA/MHODMA/HBSK05;Manager;95223;1

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OCT 26 2004

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants: William J. Dally, Philip P. Carvey, P. Allen King, William F. Mann and Larry R. Dennison

Application No.: 09/316,699 Group: 2667

Filed: May 21, 1999 Examiner: Anh Vu H. Ly

Confirmation No.: 8189

For: FABRIC ROUTER WITH FLIT CACHING

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on

10/26/04 Jennifer A. Tardiff
 Date Signature

Jennifer A. Tardiff
 Typed or printed name of person signing certificate

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated May 26, 2004 of the Examiner finally rejecting claims 1-28 and 30-56. The item(s) checked below are appropriate:

1. Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated May 26, 2004 for two (2) month(s) from August 26, 2004 to October 26, 2004.
2. A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] fee.
3. Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.
3. A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

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4. Fees are submitted for the following:

<input checked="" type="checkbox"/>	Extension of Time for two month(s)	\$ 430
<input type="checkbox"/>	Additional Extension of Time:	
	Fee for Extension ([] mo.)	\$ _____
	Less fee paid ([] mo.)	\$ _____
	Balance of fee due	\$ 0 _____
<input checked="" type="checkbox"/>	Notice of Appeal	\$ 340
<input type="checkbox"/>	Other _____	\$ _____
		TOTAL \$ 770

5. The method of payment for the total fees is as follows:

A check in the amount of \$[] is enclosed.

Please charge Deposit Account No. 08-0380 in the amount of \$770.00.

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

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Date:

10/26/04